



730-10/070490A

THE UNITED STATES PATENT AND TRADEMARK OFFICE
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Attorney's Docket Number: 2356.0014-09

Prior Application: 08/392,613

Art Unit: 1805

Examiner: M. Fleisher

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SIR: This is a request for filing a

[XX] Continuation [] Divisional Application under 37 C.F.R. § 1.60 of pending prior application Serial No. 08/392,613, filed February 22, 1995, which is a continuation of application Serial No. 08/075,020, filed June 11, 1993, which is a continuation of application Serial No. 07/792,524, filed November 18, 1991, which is a divisional of application Serial No. 07/462,908, filed January 10, 1990, now U.S. Patent No. 5,066,782, which is a continuation of application Serial No. 07/150,645, filed November 20, 1987, now abandoned, which is a continuation-in-part of application Serial No. 07/003,764, filed January 16, 1987, now U.S. Patent No. 5,051,496, which is a continuation-in-part of application Serial No. 06/933,184, filed November 21, 1986, now abandoned, which is a continuation-in-part of application Serial No. 06/916,080, filed October 6, 1986, now abandoned, and a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No. 4,839,288, of Luc Montagnier, Solange Chamaret, Denise Guetard, Marc Alizon, Francois Clavel, Mireille Guyader, Pierre Sonigo, Francoise Brun-Vezinet, Marianne Rey, Christine Rouzioux, and Christine Katlama for RETROVIRUS CAPABLE OF CAUSING AIDS, MEANS AND METHOD FOR DETECTING IT IN VITRO.

1. [XX] Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 07/150,645 as originally filed on November 20, 1987.
2. [XX] Cancel Claims 2-9, 14-18, 20 and 22-41. (At least one original independent claim must be retained for filing purposes.)
3. [XX] The filing fee is calculated below:

CLAIMS AS FILED LESS ANY CLAIMS CANCELED IN PARAGRAPH 2					
For	:	Number Filed	:	Number Extra	:
Total	:	:	:	:	:
Claims	:	7	-20=	:	x\$ 22.00= :\$
Independent	:	:	:	:	:
Claims	:	3	-3=	:	x\$ 74.00= :
Multiple Dependent Claim(s) (if applicable)				:	+\$230.00= :\$
Total				=:\$	
Reduction by 1/2 for				:	:
filing by small entity				:	-
TOTAL FILING FEE				=:\$ 730.00	

4. [XX] A check in the amount of \$ 730.00 to cover the filing fee is enclosed.

5. [XX] The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

6. [] A Preliminary Amendment is enclosed.

7. [XX] Amend the specification by inserting before the first line, the sentence:

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--This is a [XX] continuation [] division of application Serial No. 08/392,613, filed February 22, 1995, which is a continuation of application Serial No. 08/075,020, filed June 11, 1993, which is a continuation of application Serial No. 07/792,524, filed November 18, 1991, which is a divisional of application Serial No. 07/462,908, filed January 10, 1990, now U.S. Patent No. 5,066,782, which is a continuation of application Serial No. 07/150,645, filed November 20, 1987, now abandoned, which is a continuation-in-part of application Serial No. 07/003,764, filed January 16, 1987, now U.S. Patent No. 5,051,496, which is a continuation-in-part of application Serial No. 06/933,184, filed November 21, 1986, now abandoned, which is a continuation-in-part of application Serial No. 06/916,080, filed October 6, 1986, now abandoned, and a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No. 4,839,288, issued June 13, 1989.--

8. [] Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

9. [] New formal drawings are enclosed.

10. [XX] The prior application is assigned of record to: Institut Pasteur, Paris, France

11. [XX] Priority of application No. PCT/FR87/00025, filed January 22, 1987; application No. FR 86 00910, filed January 22, 1986; application No. FR 86 00911, filed January 22, 1986; application No. FR 86 01635, filed February 6, 1986; application No. FR 86 01985, filed February 13, 1986; application No. FR 86 03881, filed March 18, 1986; and application No. FR 86 04215, filed March 24, 1986, all filed in France are claimed under 35 U.S.C. § 119.

Certified copies [] is enclosed or [XX] are on file in the prior application.

12. [] A verified statement claiming small entity status

[] is enclosed or [] is on file in the prior application.

13. [XX] The power of attorney in the prior application is to at least one of the following: Finnegan, Henderson, Farabow, Garrett and Dunner, Reg. No. 22,540; Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,030; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387;

Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619, Charles E. Lipsey, Reg. No. 28,165; and Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Robert J. Gaybrick, Reg. No. 27,890; Martin I. Fuchs, Reg. No. 28,508; Barry W. Graham, Reg. No. 29,924; Thomas H. Jenkins, Reg. No. 30,857; E. Robert Yoches, Reg. No. 30,120; Susan H. Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Robert E. Converse, Jr., Reg. No. 27,432; Christopher P. Foley, Reg. No. 31,354; Clair X. Mullen, Jr., Reg. No. 20,348; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,953; Herbert W. Patterson, Reg. No. 19,000; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095 and John B. Turner, Reg. No. 27,512.

14. [XX] The power appears in the original declaration of the prior application.

15. [] Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

16. [XX] Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, 1300 I Street, N.W., Washington, D.C. 20005-3315.

17. [] Recognize as associate attorney _____

(name, address & Reg. No.)

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/392,613, filed February 22, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER

By: _____

David J. Kulik
Reg. No. 36,576

Date: June 6, 1995